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International Court of Justice

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H0019-0002

Official transcript of the International Military Tribunal in the matter of: The United States of America, the French Republic, The United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics against Hermann Wilhelm Goering et al, Defendants, sitting at Nurnberg, Germany, on 11 December 1945, 1000-1030, Lord Justice Lawrence presiding.

COL. STOREY : If the Tribunal please, the United States next offers in evidence some captured moving pictures through Commander Donovan, who had charge of taking them.

COMMANDER DONOVAN: May it please the Tribunal, the United States now offers in evidence Document No. 3054-PS, United States Exhibit No. 167, the motion picture entitled "The Nazi Plan." This document contains several affidavits with exhibits, copies of which have been furnished to Defense Counsel. I ask the Tribunal whether it believes it to be necessary for us formally to read the affidavits at this time. Since the motion pictures themselves will be presented to the Tribunal, and therefore will be a permanent record, I respectfully submit that the reading be waived.

In the past three weeks the Prosecution has presented to this Tribunal a vast amount of evidence concerning the nature of the Nazi conspiracy and what we contend to be its deliberate planning, launching, and waging of wars of aggression. That evidence has consisted of documentary and some oral proof, but the Nazi conspirators did more than leave behind such normal kinds of evidence. German proficiency in photography has been traditional. Its use as a propaganda instrument was especially well known to these defendants, and as a result the United States in 1945 captured an almost complete chronicle of the rise and fall of National Socialism as documented in films made by the Nazis themselves. It is from excerpts of this chronicle that we have compiled the motion picture now to be presented, entitled "The Nazi Plan," which, in broad outline, sums up the case thus far presented under Counts 1 and 2 of the Indictment.

The motion picture has been divided into four parts. This morning we first offer to the Tribunal Parts 1 and 2, which are especially entitled

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"Rise of the NSDAP, 1921 to 1933," and "Acquiring Totalitarian Control of Germany, 1933 to 1935." This will be concluded by 11:20, at which time we assume the Tribunal will order its customary morning adjournment. At 11:30 we shall present Part 3, entitled "Preparation for Wars of Aggression, 1935 to 1939." This will be concluded shortly before one o'clock. At 2 p.m. we will offer Part 4, entitled "Wars of Aggression, 1939 to 1944," and this will be concluded by 3 p.m.

Parts 1 and 2, now to be presented, enable us to relive those years in which the Nazis fought for and obtained the power to rule all life in Germany. We see the early days of terrorism and propaganda, bearing final fruit in Hitler's accession to the Chancellory in 1933, then the consolidation of power within Germany, climaxed by the Parteitag in 1934, in which the Nazis proclaimed to the nation their plans for totalitarian control. It is in simple and dramatic form the story of how a nation forsook its liberty.

I wish again to emphasize that all film now presented to the Tribunal, including, for example, pictures of early Nazi newspapers, is original German film, to which we have added only the title in English. And now, if it please the Tribunal, we shall present Parts 1 and 2 of "The Nazi Plan."

THE PRESIDENT: It may be convenient for the United States Prosecutor to know that the Tribunal proposes to rise this afternoon at 4 o'clock instead of 5.

(Whereupon the film "The Nazi Plan" was shown until 1125 hours, when a recess was taken.)

COMMANDER DONOVAN: May it please the Tribunal, in the films which have just been shown to the Tribunal we have watched the Nazi rise to power. In Part III of our documentary motion picture now to be presented, we see the use they made of that power and how the German Nation was led by militaristic regimentation to preparation for aggressive war as an instrument of national policy.

(Showing of mition picture.)

(Whereupon at 1305 hours the hearing of the Tribunal adjourned.)

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Official transcript of the International Military Tribunal, in the matter of: The United States of America, the French Republic, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics, against Hermann Wilhelm Goering, et al., Defendants, sitting at Nurnberg, Germany, on 11 December 1945, 1400-1600, Lord Justic Lawrence presiding.

COMMANDER DONOVAN: This morning we presented photographic evidence of the history of National Socialism from 1921 to September 1939. We saw the dignity of the individual in Germany destroyed by men dedicated to perverted nationalism, men who set forth certain objectives and then preached to a regimented people the accomplishment of these objectives by any means, including aggressive war.

In September, 1939, the Nazis launched the first of a series of catastrophic wars, terminated only by the military collapse of Germany. It is the final chapter in the history of National Socialism that the prosecution now presents.

May I again remind the Tribunal that all film presented and all German narration heard is in the original form as filmed by the Nazis.

(WHEREUPON the aforementioned motion picture film was presented in the courtroom).

COMMANDER DONOVAN: The prosecution has concluded its presentation of the photographic summation entitled "The Nazi Plan." We shall deliver for the permanent records of the Tribunal, as soon as possible, the original films projected today.

May it please the Tribunal:

COLONEL STOREY: If the Tribunal please, just a brief announcement about the presentation that shall follow. The rest of the week will be consumed in the presentation of War Crimes and Crimes against Humanity, starting with exploitation of forced labor, concentration camps, persecution of the Jews, and Germanization and spoliation in occupied countries. We should like to call the Tribunal's attention to the fact that many of these crimes will be crimes attributed to the criminal organizations, which will follow. The program following will be the criminal organizations, beginning with the Leadership Corps of the Nazi Party, the Reich Cabinet,

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the SA, the SS, and finally, the SD and Gestapo.

Mr. Dodd will now present exploitation of forced labor.

Mr. Dodd.

MR. DODD: We propose to submit during the next several days, evidence as Colonel Storey has said a moment ago, evidence concerning the conspirators' criminal deportation and enslavement of foreign labor, their illegal use of prisoners of war, their infamous concentration camps and their relentless persecution of the Jews. We will present evidence regarding the general aspects of these programs, and our French and Soviet colleagues will present evidence of the specific application of these programs in the West and the East, respectively.

These crimes were committed both before and after Nazi Germany had launched its series of aggressions. They were committed within Germany and in foreign countries as well. Although separated in time and space, these crimes had, of course, an inter-relationship which resulted from their having a common source in Nazi ideology; for within Germany the conspirators had made hatred and destruction of the Jew an official philiosophy and a public duty; that they had preached the concept of the master race with is corollary of slavery for others, that they had denied and destroyed the dignity and the rights of the individual human being. They had organized force, brutality and terror into instruments of political power and had made them commonplaces of daily existence. We propose to prove that they had placed the concentration camp and a vast apparatus of force behind their racial and political myths, their laws and their policies. As every German Cabinet Minister or high official knew, behind the laws and decrees in the Reichsgesetzblatt, was not the agreement of the people or their representatives, but the terror of the concentration camp and the police state. The conspirators had preached that war was a noble activity and that force was the appropriate means of resolving international differences and, having mobilized all aspects of German life for war, they plunged Germany and the world into war.

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We say this system of hatred, savagery, and denial of individual rights, which the conspirators erected into a philosophy of Government within Germany, into what we may call the Nazi constitution, followed the Nazi armies as they swept over Europe. For the Jews of the occupied countries suffered the same fate as the Jews of Germany, and foreign laborers became the serfs of the master race, they were deported and enslaved by the millions. Many of deported and enslaved laborers joined the victims of the concentration camps where they were literally worked to death in the course of the Nazi program of extermination through work. We propose to show that this Nazi combination of the assembly line, the torture chamber and the executioner's rack in a single institution has a horrible repugnance to the Twentieth Century mind.

We say that it is plain that the program of the concentration camp, the anti-Jewish program, the forced labor program, are all parts of a larger pattern, and this will become even more plain as we examine the evidence regarding these programs and then test their legality by applying the relevant principles of international law.

The evidence relating to the Nazi Slave Labor program has been assembled in a document book bearing the letter "R", and in addition, there is an appendix to the document book consisting of certain photographs contained in a manilla folder. Your Honors will observe that on some of the books, we have placed some tabs, so that it will be more easy for the Tribunal to locate the documents. Unfortunately, we did not have a sufficient number of tabs to do the work completely, and that will account for tabs which are missing on some of the document books.

It may illuminate the specific items of evidence which will be offered later if we first describe in rather general terms the elements of the Nazi foreign labor policy. It was a policy

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of mass deportation and mass enslavement, as I said a moment ago, and it was also carried out by force, by fraud, by terror, by arson, by means unrestrained by the laws of war, and laws of humanity, or the considerations of mercy. This labor policy was a policy as well of underfeeding and overworking foreign laborers, of subjecting them to every form of degradation, brutality and inhumanity. It was a policy which compelled foreign workers and prisoners of war to manufacture armaments and to engage in other operations of war directed against their own countries. It was a policy, as we propose to establish, which constituted a flagrant violation of the laws of war and the laws of humanity.

We shall show that Defendants Sauckel and Speer are principally responsible for the formulation of the policy and for its execution, that Defendant Sauckel, the Nazis' Plenipotentiary General for Manpower, directed the recruitment, deportation and allocation of foreign civilian labor, that he sanctioned and directed the use of force as the instrument of recruitment, and that he was responsible for the care and treatment of the enslaved millions; that the Defendant Speer, as Reichsminister for Armaments and Munitions, Director of the Organization Todt and member of the Central Planning Board, bears responsibility for the determination of the numbers of foreign slaves required by the German war machine responsible for the decision to recruit by force, and for the use under brutal, inhumane and degrading conditions of foreign civilians and prisoners of war in the manufacture of armaments and munitions, the construction of fortifications and inactive military operations.

We shall also show in this presentation that the Defendant Goering as Plenipotentiary General for the Four Year Plan, is responsible for all of the crimes involved in the Nazi Slave Labor Program. Finally we propose to show that the Defendant Rosenberg as Reichsminister for the Occupied Eastern Territories and the Defendant Frank as Governor General of the Government General of Poland, and the Defendant

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Seyss-Inquart, as Reichskommissar for the Occupied Netherlands and the Defendant Keitel, as chief of the OKW share responsibility for the recruitment by force and terror and for the deportation to Germany of the citizens of the areas overrun or subjugated by the Wehrmacht.

The use of vast numbers of foreign workers was planned before Germany went to war and was an integral part of the conspiracy for waging aggressive war. On May 23, 1939, a meeting was held in Hitler's study at the Reichs Chancellory. Present were the Defendants Goering, Raeder and Keitel.

I now refer to document L-79 which has already been entered in evidence as USA Exhibit No. 27. The document presents the minutes of this meeting, at which Hitler stated, as Your Honors will recall, that he intended to attack Poland at the first suitable opportunity; but I wish to quote from page 2 of the English text starting with the thirteenth paragraph, as follows. In the German text the passage, by the way, appears at page 4, paragraphs 6 and 7, and quoting directly from the English text:

> "If fate brings us into conflict with the West, the possession of extensive areas in the East will be advantageous. We shall be able to rely upon record harvests, even less in time of war than in peace.
>
> The population of non-German areas will perform no military service, and will be available as a source of labor".

We say the slave labor program of the Nazi conspirators was designed to achieve two purposes, both of which were criminal. The primary purpose, of course, was to satisfy the labor requirements of the Nazi war machine by compelling these foreign workers, in effect, to make war against their own countries and their allies. The secondary purpose was to destroy or weaken peoples deemed inferior by the Nazi racialists, or deemed potentially hostile by the Nazi planners of world supremacy.

These purposes were expressed by the conspirators themselves.

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I wish to refer at this point and to offer in evidence document 016-PS which is USA Exhibit No. 168. This document was sent by the Defendant Sauckel to the Defendant Rosenberg on the 20 April, 1942, and it describes Sauckel's labor mobilization program. I wish to quote now from page 2 of the English text, starting with the sixth paragraph, and in the German text, again, it appears at page 2 of the second paragraph. Quoting from the text directly:

"The aim of this new, gigantic labor mobilization is to use all the rich and tremendous sources, conquered and secured for us by our fighting Armed Forces under the leadership of Adolf Hitler, for the armament of the Armed Forces and also for the nutrition of the Homeland. The raw materials as well as the fertility of the conquered territories and their human labor power are to be used completely and conscientiously to the profit of Germany and their allies."

The theory of the master race underlay the conspirators' labor policy in the East.

I now refer to Document No. 1130-PS, which is marked USA Exhibit No. 169. This document consists of a statement made by one Erich Koch Reichskommissar for the Ukraine on the fifth day of March, 1943, at a meeting of the National Socialist Party in Kiev. I quote from the first page of the English text, starting with the first paragraph, and in the German text it appears at page 2, paragraph 1. Quoting directly again from the English text, Koch said:

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"We are the master race and must govern hard but just . . . . I will draw the very last out of this country. I did not come to spread bliss. I have come to help the Fuehrer. The population must work, work, and work again . . . . for some people are getting excited, that the population may not get enough to eat. The population cannot demand that, one has only to remember what our heroes were deprived of in Stalingrad ... We definitely did not come here to give out manna. We have come here to create the basis for victory." We are a master race, which must remember that the lowliest German worker is racially and biologically a thousand times more valuable than the population here". -

At this point I should like to offer in evidence Document No.1919-PS, which is USA Exhibit No. 170. This is a document which contains a speech delivered by Himmler, the Reichsfuehrer SS, to a group of SS Generals on the fourth day of October, 1943, at Posen, and I am referring to the first page of the English text, starting with the third paragraph. For the benefit of the interpreters, in the German text it appears at page 23 in the first paragraph. Quoting direct from this document, starting with the third paragraph:

"....What happens to a Russian, to a Czech, does not interest me in the slightest. What the nations can offer in the way of good blood of our type, we will take, if necessary by kidnapping their children and raising them here with us. Whether nations live in prosperity or starve to death interests me only in so far as we need them as slaves for our Kultur: otherwise, it is of no interest to me. Whether 10,000 Russian females fall down from exhaustion while digging an anti-tank ditch interests me only in so far as the anti-tank ditch for Germany is finished ..."

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THE PRESIDENT: Who is the author of that document?

MR. DODD: The author of that quotation was the Reichsfuehrer SS, Heinrich Himmler.

The next document to which I make reference is No.031-PS which is USA Exhibit No. 171. This document is a top secret memorandum prepared for the Ministry of the Occupied Eastern Territory on the 12th of June, 1944, and approved by the Defendant Rosenberg; and from it I wish to quote from the English text, starting with the first paragraph, and in the German text the passage appears at page 2 in the first paragraph. Quoting directly:

"The Army Group "Center" has the intention to apprehend 40-50,000 youths at the ages of 10 to 14 who are in the Army territory and to transport them to the Reich ..."

I wish to pass now to line 21 of paragraph 1, and quoting directly I read as follows:

"It is intended to allot these juveniles primarily to the German trades as apprentices to be used as skilled workers after 2 years' training. This is to be arranged through the Organization Todt which is especially equipped for such a task through its technical and other set-ups. This action is being greatly welcomed by the German trade since it represents a decisive measure for the alleviation of the shortage of apprentices."

Passing a little further on in that document, I wish to call to the attention of the Tribunal paragraph 1 on page 2, and to quote it directly:

"This action is not only aimed at preventing a direct reinforcement of the enemy's military strength, but also at a reduction of his biological potentialities as viewed from the perspective of the future. These ideas have been voiced not only by the Reichsfuehrer of the SS but also by the Fuehrer. Coressponding orders were given during last year's withdrawals in the southern sector ..."

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I call Your Honor's attention particularly that the approval of the Defendant Rosenberg is noted on page 3 of the document. It is a note in ink in the original, and I quote it:

"regarding the above-Obergruppenfuehrer BERGER received the memorandum on June 14. Consequently the Reichsminister has approved the Action.

THE PRESIDENT: Mr. Dodd, did you mean to leave out the sentence at the bottom of page 1?

MR. DODD: No, Your Honor, I did not, but I did not want to refer to it this time. I will refer to it a little later on.

THE PRESIDENT: Isn't it really a part of what follows at the top of page 2, the words "Following are the arguments..."

MR. DODD: Yes. "Following are the arguments against this decision of the ministe ." I did omit that. I thought you were referring to the sentence above. I'm sorry. "Following are the arguments against this decision of the minister"; and then quoting: "This action is not only aimed at preventing direct reinforcement of any military ....."

THE PRESIDENT: Yes, and you were telling us how the Defendant Rosenberg was implicated.

MR. DODD: Yes. On the last page of that document, the original bears a note in ink, and in the mimeographed copy it is typewritten: "regarding the above - Obergruppenfuehrer BERGER received the memorandum on June 14. Consequently the Reichsminister has approved the Action."

One page back on that same document, from the first paragraph, four sentences down, the sentence begins: "The minister has approved the executic of the high action in the army territories, under the conditions and provisions arrived at in talks with Army Group Center."

The purposes of the Slave Labor Program which we have just been describing, namely the strengthening of the Nazi war machine and the destruction or weakening of peoples deemed inferior by the Nazi conspirators, were achieved, we repeat, by the impressment and deportation of millions of persons into Germany for forced labor. It involved the separation of husbands from their wives, and children from their parents and the

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imposition of conditions unfit for human existence, with the result that countless numbers were killed.

Poland was the first victim. The Defendant Frank as Governor of the Government General of Poland announced that under his program 1,000,000 workers were to be sent to Germany and he recommended that police surround Polish villages and seize the inhabitants for deportation.

I wish to refer to Document No.1375-PS which is USA Exhibit No.172. This document is a letter from the Defendant Frank to the Defendant Goering and it is dated the 25th day of January, 1940. I wish to quote from the first page of the English text, starting with the first paragraph, and in the German text, again, it appears at page 1 of the first paragraph, and quoting directly:

"In view of the present requirements of the Reich for the defense industry, it is at present fundamentally impossible to carry on long term economic policy in the General-Gouvernement. Rather, it is necessary so to steer the economy of the Generalgouvernement that it will, in the shortest possible time, accomplish results representing the maximum that can be gotten out of the economic strength of the Generalgouvernement for the immediate strengthening of our capacity for defense.

In particular the following performances are expected of the total economy of the Generalgouvernement"

I wish to pass on a little bit in this text to the second page and particularly to paragraph g, of the English text. In the German text, the same passage appears on page 3 in paragraph g. I am quoting directly again:

"Supply and transportation of at least 1 million male and female agricultural and industrial workers to the Reich - among them at least 750,000 agricultural workers of which at least 50% must be women - in order to guarantee agricultural production in the Reich and as a replacement for industrial workers lacking in the Reich."

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The methods by which these workers were to be supplied were considered by the Defendant Frank, as revealed in the document which we now refer to.

It is an entry in the Defendant Frank's own Diary, to which we have assigned our Document No. 2233-PS-A, and which we offer as USA Exhibit 173. The portion which I shall read is the entry for Friday, the 10th May 1940. It appears in the document book as 2233-PS-A, on the third page, in the centre of the page. Just above are the words "page 23", paragraph 1, to the left, just above it:

"Then the Governor General deals with the problem of the Compulsory Labor Service of the Poles. Upon the demands from the Reich it has now been decreed that compulsion may be exercised in view of the fact that sufficient manpower was not voluntarily available for service inside the German Reich. This compulsion means the possibility of arrest of male and female Poles. Because of these measures a certain disquietude had developed which, according to individual reports, was spreading very much, and which might produce difficulties everywhere. General Fieldmarshal Goering some time ago pointed out in his long speech the necessity to deport into the Reich a million workers. The supply so far was 160,000. However, great difficulties had to be overcome. Therefore it would be advisable to consult the district and town chiefs in the execution of the compulsion, so that one could be sure from the start that this action would be reasonably successful. The arrest of young Poles when leaving church service or the cinema would bring about an increasing nervousness of the Poles. Generally speaking, he had no objections at all if the rubbish, capable of work yet often loitering about, would be snatched from the streets. The best method for this, however, would be the organization of a raid, and it would be absolutely justifiable to stop a Pole in the street and to question him what he was doing, where he was working etc."

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I should like to refer to another entry in the diary of the Defendant Frank, and I offer in evidence an extract from the entry made on the 16th day of March 1940, which appears in the document books as 2233-PS - B, and it has USA Exhibit 174. I wish particularly to quote from the third page of the English text:

"The Governor General remarks that he had long negotiations in Berlin with representatives of the Reich Ministry for Finance and the Reich Ministry for Food. One has made the urgent demand there that Polish farm workers should be sent to the Reich in greater numbers. He has made the statement in Berlin that he, if it is demanded from him, can naturally exercise force in such a manner that he has the police surround a village and get the men and women, in question, out by force, and then send them to Germany. But one can also work differently, besides these police measures, by retaining the unemployment compensation of those workers in question."

THE PRESIDENT: One part of the document is dated 16 March 1940.

MR. DODD: That is clearly an error in the translation, your Honor. It is the 16th of March 1940. It is a mistake in the mimeographing.

The instruments of force and terror used to carry out this program reached into many phases of Polish life. German labor authorities raided churches and theatres, seized those present and shipped them back to Germany. This appears in a memorandum to Himmler, which we offer in evidence as document No.2220-PS, and it bears USA Exhibit No.175. This memorandum is dated the 17th day of April 1943, and it was written by Dr. Lammers, the chief of the Reichs Chancellory, and deals with the situation in the Government General of Poland.

DR. SERVATIUS: My name is Servatius. I represent the defendant Sauckel. I would like to call the attention of the court to the fact

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that the last three documents which have been read were not made available to me. They are not contained in the original list of documents; and I checked just now, and I can't find them in other lists either. I would like to have the opportunity to review these documents, and to discuss them with my client.

Perhaps I can make another additional statement. The day before yesterday, I received a number of interrogational material, and I was told that this was not the writing down of the interrogation, but that an interpreter gave his speeches.

THE PRESIDENT: I didn't hear what you said last. I heard what you said about the last three documents not being available to you, and you went on to say something about interrogations.

DR. SERVATIUS: Yes, regarding the interrogation material which was submitted to me, I would like to make a slight objection. This material cannot have the truth of evidence, because my client had not seen them. They were not read to him, and he has not signed them. It is written material in the English language which the Defendant does not understand, or understands but poorly. I also take another case of the Defendant here, and material contained in this other interrogation seems to -- I would like to have the opportunity to speak with representatives of the Prosecution and check to see how I can agree with the using of these material documents, and I object to the using of the documents tomorrow.

THE PRESIDENT: As I understand it, you said to us that the last three documents were not available to you and that they were not in the original list. Is that right?

DR. SERVATIUS: Temporarily not. I would like to have the opportunity to check these documents beforehand. They were read without my seeing them before.

THE PRESIDENT: And then you went on to deal with the interrogations which haven't been put into evidence.

DR. SERVATIUS: This interrogating material will probably be used today, and I would like to call attention to the fact that if

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this material is used in evidence tomorrow, that I would like to have a chance to speak with the Prosecution beforehand, and that I object to the use of this material until I had such time.

THE PRESIDENT: Mr. Dodd, do you know what the circumstances are about these three documents which haven't been supplied.

MR. DODD: I do not, your Honor. They have been placed in the Defendants' Information Center and they partly have been in the information list. It may be that through some oversight the remarks in the diary were neglected.

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MR. SERVATIUS: In these documents I have there is no number on them, and they begin--and the first one begins with "Sauckel" and starts with page 10--question and answer, page 11, page 12. It is not a coherent document. They are just fragments from a memorandum, and I would like to check the authenticity of the document.

THE PRESIDENT: Counsel for the Prosecution will supply you with these documents at the adjournment this afternoon: and with reference to the interrogation, if they propose to use any interrogation in the trial tomorrow, they can also supply you with any documents which are material to that interrogation.

MR. SERVATIUS: I am very much agreed to that.

MR. DODD: I believe I was referring to Document No. 2220-PS.

THE PRESIDENT: That is right. You haven't begun to read it yet. I don't think so.

MR. DODD: I don't think so. I propose to read from the fourth page of the English text, paragraph 2 at the top of the page, particularly the last two sentences of the paragraph; and in the German text the passage is found in page 10, paragraph 1. Quoting directly, it is as follows.

> "As things were, the utilization of manpower had to be enforced by means of more or less forceful methods, such as the instances when certain groups appointed by the Labor Offices caught church and movie-goers here and there and transported them into the Reich. That such methods not only undermine the people's willingness to work and the people's confidence to such a degree that it cannot be checked even with terror, is just as clear as the consequences brought about by a strengthening of the political resistance movement."

That is the end of the quotation. We say that Polish farmland was confiscated with the aid of the SS and was distributed to

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German inhabitants or held in trust for the German community, and the farm owners were employed as laborers, or transported to Germany against their will. We referred to Document No. 1352-PS, which bears USA Exhibit No. 176. This document is a report of the SS, and it bears the title "Achievement of Confiscations of Polish Agricultural Enterprises with the Purpose to Transfer the Poles to the Old Reich and to employ them as Agricultural Workers."

I wish to read from the first page of the English text beginning with the fifth paragraph; and in the German text it appears on page 9, paragraph 1 on that page.

Quoting: "It is possible without difficulty to accomplish the confiscation of small agricultural enterprises in the villages in which larger agricultural enterprises have been already confiscated and are under the management of the East German Corporation for agricultural development."

And then passing down three sentences, there is this statement which I quote.

"The former owners of Polish farms, together with their families will be transferred to the old Reich by the employment agencies for employment as farm workers. In this way many hundreds of Polish agricultural workers can be placed at the disposal of agriculture in the old Reich in the shortest and simplest manner. This way the most pressing shortage is removed that is now in a very disagreeable manner felt especially in the root-crop districts."

Pursuant to the directions of the Defendant Sauckel, his agents and the SS men deported Polish men to Germany without their families, thereby accomplishing one of the basic purposes of the program, the supplying of labor for the German war effort, and at the same time weakening the reproductive potential of the Polish people.

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I wish to refer directly to Document L-61, which bears USA Exhibit No. 177. This document is a letter from the Defendant Sauckel to the Presidents of the "Landes" Employment Offices. It is dated the 26th day of November, 1942, and I want to read from the first paragraph of that letter which states as follows.

"In agreement with the Chief of the Security Police and the SD, Jews who are still in employment are, from now on, to be evacuated from the territory of the Reich and are to be replaced by Poles, who are being deported from the General Government."

And passing to the third paragraph of that same letter, we find this statement.

Quoting: "The Poles who are to be evacuated as a result of this measure will be put into concentration camps and put to work where they are criminal or social elements. The remaining Poles where they are suitable for labor will be transported without family into the Reich, particularly to Berlin, where they will be put at the

H0019 - 0022

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"disposal of the labor allocation offices to work in armament factories instead of the Jews who are to be replaced."

That is the end of the quotation.

THE PRESIDENT: Who is the chief of the Security Police, mentioned in the second paragraph?

MR. DODD: The chief of the Security Police was Heydrich Himmler. He was also the Reichsfuehrer of the SS.

MR. SERVATIUS: I would like to add something to this document. The Defendant Sauckel argues or denies knowledge of this document, and the place from which this document was picked is important. This document, according to his memory, was put up or written at Saarland Strasse, addressed by the clerk, which was not his office; and the second point is the following, that this document was not signed by him.

MR. PRESIDENT: Don't go too fast. The interpreter can't follow you. Now, then, again.

MR. SERVATIUS: The second point is, this document was not signed by the Defendant Sauckel, and contrary to the statement made in the document, the original, it is only a copy and it said "Signed Sauckel." The usual certification of the signature is absent and the certification is the usual procedure. I would like to refer to this document in my defense later.

THE PRESIDENT: If the procedure which the Tribunal has laid down has been carried out, either the original Document or a photostat copy will be in your Information Center and you can then compare or show to your client either the photostat or the original.

MR. SERVATIUS: And I am objecting to the fact that this document is read without parts which are important to me. If this letter is being read it will have to be read in its entirety, with its essential parts, and, of course, we place value on the signature, also.

THE PRESIDENT: Will you repeat that.

MR. SERVATIUS: I beg to read the letter in its entirety if it is to be used here. I would like the heading and the signature of the document, such as it is, "Signed Sauckel," but the certification of the signature is lacking. There are certain consequences to be drawn.

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THE PRESIDENT: You will have an opportunity after adjournment of seeing this document, and you have been told already that you can refer, when your turn comes to present your Defense, to the whole of any document. It is inconvenient to the Tribunal to have many interruptions of this sort, and if you wish to refer to the whole document, you will be able to do so at a later stage.

MR. SERVATIUS: I gather that it is possible to show part of documents instead of complete documents. Do I understand the Court correctly?

THE PRESIDENT: Yes, certainly. You can put in a part or the whole of the document when your turn comes; and Counsel, we will adjourn now; but, Mr. Dodd, you will satisfy this Counsel for the Defendant as to the reason why he hadn't got these other documents.

MR. DODD: Yes, I will.

THE PRESIDENT: And we will make them available to him and insure that he has an opportunity of seeing the original of this document so he can check the signature.

MR. DODD: We will have and furnish a photostat of the document, and I will see that the original is available to him.

THE PRESIDENT: All right, we will adjourn now.

(Whereupon, at 1600 hours the hearing of the Tribunal adjourned to reconvene at 1000 hours, 12 December 1945.)